

REMARKS

Claim 1 is currently amended. Claims 3, 4 and 26 are canceled without prejudice or disclaimer. No new matter is added.

I: Response to Restriction Requirement

Applicants were requested to elect one of x designated groups.

Group 1, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 2.
Group 2, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 3.
Group 3, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 4.
Group 4, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 5.
Group 5, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 6.
Group 6, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 7.
Group 7, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 8.
Group 8, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 9.
Group 9, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 10.
Group 10, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 11.
Group 11, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 12.
Group 12, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 13.
Group 13, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 14.
Group 14, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 15.
Group 15, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 16.
Group 16, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 17.
Group 17, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 18.
Group 18, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 19.
Group 19, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 20.
Group 20, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 21.
Group 21, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 22.
Group 22, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 23.
Group 23, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 24.
Group 24, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 25.
Group 25, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 26.
Group 26, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 27.
Group 27, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 28.
Group 28, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 29.
Group 29, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 30.
Group 30, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 31.
Group 31, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 32.
Group 32, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 33.
Group 33, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 34.
Group 34, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 35.
Group 35, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 36.
Group 36, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 37.
Group 37, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 38.
Group 38, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 39.
Group 39, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 40.

Group 40, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 41.
Group 41 Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 42.
Group 42, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 43.
Group 43, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 44.
Group 44, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 45.
Group 45, Claim(s) 4 in part, drawn to a polypeptide consisting of SEQ ID NO: 46.
Group 46, Claim(s) 5-8, 18 drawn to a polynucleotide, vector, cell, plant.
Group 47, Claim(s) 9, drawn to a method of producing a polypeptide.
Group 48, Claim(s) 12, drawn to a method for killing or inhibiting growth.

The Examiner has also indicated that if any of Group 1-45 are elected, a species must be elected. The Examiner indicated the following species:

Biocidal Agent: a specific biocidal agent should be identified as recited in claim 11.

Surfactant: a specific surfactant should be identified as recited in claim 13.

Feed additive composition: A specific composition (a, b, c, d, and/or e) of claim 21 should be identified. Further, a species of claim 22 should be identified.

Applicants respectfully traverse any restriction requirement to select a single invention for examination. It would not be a serious burden on the Examiner to conduct a search of the pending claims, as currently amended. Applicants, therefore, respectfully submit that election of a single invention is improper. Applicants respectfully request reconsideration and withdrawal thereof.

In order to be fully responsive, Applicants hereby elect the invention of Group 41. Applicants hereby provisionally select SEQ ID NO: 42 for searching. Claims 1, 2, 10, 11, 12, 13, 14, 15 read thereon or are inclusive thereof. Applicants hereby reserve the right to file continuing type applications directed to the nonelected subject matter.

Applicants respectfully traverse any requirement for the selection of a single species for examination. It would not be a serious burden on the Examiner to conduct a search of the pending claims, as currently amended. Applicants, therefore, respectfully submit that election of a single species is improper. Applicants respectfully request reconsideration and withdrawal thereof.

In order to be fully responsive, Applicants hereby provisionally elect the species for claim 11, biocidal agent, *i.e.*, antibiotic. Applicants hereby provisionally elect the species for claim 13, surfactant, *i.e.*, anionic surfactant. Applicants note that claims 21 and 22 are withdrawn. However, in order to be fully responsive to the Examiner, should a search become necessary, Applicants hereby provisionally elect a feed composition

i.e.: a) comprising the peptide of Seq ID NO: 42; b) Vitamin A; c) B12; d) magnesium and/or e) phosphorus. Applicants hereby elect the species for claim 22, *i.e.*, phytase.

Applicants hereby reserve the right to file continuing type applications directed to the nonelected subject matter.

Applicants believe that no additional fees are due at this time; however should any additional fees be due, the U.S. Patent Office is authorized to charge any such fees to Novozymes North America Inc's deposit account no. 50-1701.

A response was due on March 1, 2008, which fell on a Saturday. Applicants file this response with a four month extension of time, on the first Monday after the due date. Accordingly, no additional extension is needed.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this response or application.

Respectfully submitted,

Date: March 3, 2008

/Michael W. Krenicky Reg #45411/
Michael W. Krenicky, Reg. No. 45,411
Novozymes North America, Inc.
500 Fifth Avenue, Suite 1600
New York, NY 10110
(212) 840-0097